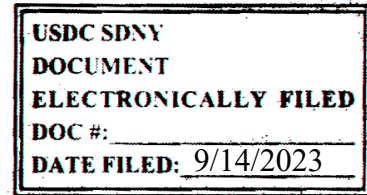


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
UMAR ALLI,

Plaintiff,

21-CV-09470 (PGG)(SN)

-against-

ORDER OF SERVICE

G.R.V.C. WARDEN RENEE, et al.,

Defendants.
-----X

SARAH NETBURN, United States Magistrate Judge:

Plaintiff Umar Alli, currently held in Clinton Correctional Facility, brings this *pro se* action alleging that Defendants have violated his federal constitutional rights. Plaintiff filed his initial complaint on November 15, 2021. See ECF No. 1. On June 12, 2023, Plaintiff filed an amended complaint. See ECF No. 74. At that time, Plaintiff added as defendants: (1) Correction Officer C. Meyers, Badge #10268; (2) Deputy Warden C. Henry, Badge #1038; (3) Correction Captain S. Johnson, Badge #389; (4) Benjamin Okonta, M.D., (5) Investigator C. McGovern; (6) and Investigator N. Coronel. The Court requests that Defendants Meyers, Henry, Johnson, McGovern, and Coronel waive service of summonses. The Court directs service on Defendant Okonta.

DISCUSSION

I. Defendants Meyers, Henry, Johnson, McGovern, and Coronel

The Court directs the Clerk of Court to notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that Defendants Meyers, Henry, Johnson, McGovern, and Coronel waive service of summonses.

II. Defendant Okonta

By order dated December 16, 2021, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis* ("IFP"). See ECF No. 7. Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service on Defendant Okonta. Walker v. Schult, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . In [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Plaintiff to effect service on Defendant Okonta through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (USM-285 form) for Defendant Okonta. The Clerk of Court is further instructed to issue a summons as to Defendant Okonta and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendant Okonta.

CONCLUSION

The Court directs the Clerk of Court to notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that the following defendants waive service of summonses: (1) Correction Officer C. Meyers, Badge #10268; (2) Deputy Warden C. Henry, Badge #1038; (3) Correction Captain S. Johnson, Badge #389; (4) Investigator C. McGovern; (5) and Investigator N. Coronel.

The Court also directs the Clerk of Court to: (1) issue a summons for Defendant Okonta; (2) a complete USM-285 form with the address for those Defendant Okonta; and (3) deliver all

documents necessary to effect service on Defendant Okontato the U.S. Marshals Service.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Netburn', is written over a horizontal line.

SARAH NETBURN
United States Magistrate Judge

DATED: September 14, 2023
New York, New York

DEFENDANT AND SERVICE ADDRESS

Benjamin Okonta, M.D.
c/o Gwendolyn Renee Tarver
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